

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/617,913	07/11/2003	Forest A. Hatcher	4239-00009	4221	
26753 75	90 08/25/2006		EXAMINER		
ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 EAST WISCONSIN AVENUE, SUITE 1100			RICCI, JOHN A		
MILWAUKEE,	•	L 1100	ART UNIT	PAPER NUMBER	
			3711	3711	
			DATE MAILED: 08/25/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

		SP				
	Application No.	Applicant(s)				
Office Action Summary	10/617,913	HATCHER, FOREST A.				
Onice Action Summary	Examiner	Art Unit				
The MAN INC DATE of this country of	John Ricci	3711				
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DJ. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period v. - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from . cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D. (35 U.S.C. § 133)				
Status						
1)⊠ Responsive to communication(s) filed on 11 Ju	ılv 2003.					
	action is non-final.					
3) Since this application is in condition for allowar	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4)⊠ Claim(s) <u>27-38</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdraw	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8)⊠ Claim(s) <u>27-38</u> are subject to restriction and/or	election requirement.					
Application Papers						
9)☐ The specification is objected to by the Examine	ır.					
10) The drawing(s) filed on is/are: a) acc						
Applicant may not request that any objection to the						
Replacement drawing sheet(s) including the correct		•				
11) The oath or declaration is objected to by the Ex	taminer. Note the attached Office	Action of form P1O-152.				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreigna) All b) Some * c) None of:	priority under 35 U.S.C. § 119(a)	i-(d) or (f).				
1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority document						
3. Copies of the certified copies of the prior		ed in this National Stage				
application from the International Bureau	• • • • • • • • • • • • • • • • • • • •	4				
* See the attached detailed Office action for a list	or the certified copies not receive	a.				
Attachment(c)						
Attachment(s) 1) Notice of References Cited (PTO-892)	4) Interview Summary	(PTO-413)				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	ate				
Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal P 6) Other:	atent Application (PTO-152)				

Application/Control Number: 10/617,913

Art Unit: 3711

This application contains claims directed to the following patentably distinct species:

- A. Feed tube having elbow adapter (figure 5);
- B. Feed tube having adapter cylinder having externally threaded connector portion, and collet receivable on the connector portion (figure 6);
- C. Threaded connector portion formed on one side of the loader neck and feed tube, and collet having internal threads and O ring (figure 7);
- D. Feed tube having a notch with slots, and an O ring positioned in the annular notch and passing through the slots to engage the loader neck (figure 8).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of

Application/Control Number: 10/617,913

Art Unit: 3711

all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors

Application/Control Number:

10/617,913

Art Unit: 3711

in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

* * * * * *

This letter was prepared by Examiner John Ricci, who can be reached at:

Voice: 571-272-4429

Fax: Use 571-273-8300 for papers to be delivered directly to the mail room, like formal amendments and responses, change of address, power of attorney, petitions.

Application/Control Number:

10/617,913

Art Unit: 3711

Use 703-783-0439 for papers to be delivered directly to the Examiner, like informal or proposed responses for discussion, or notes in preparation for an interview.

Response by Fax is encouraged to reduce mail processing time. Please don't send duplicate papers by mail and Fax.

PTO main switchboard: 800-786-9199.

Visit our Web site at www.uspto.gov.

JOHN RICCI PRIMARY EXAMINER ART UNIT 3711

John Pri

Page 5